

TMDL Implementation Plan for Upper Rapidan River Watershed in
Madison, Orange, Greene & Albemarle Counties
January 29, 2015
PVCC Eugene Giuseppe Center, 6:00pm
First Public Meeting and Working Group Sessions

Attendees:

David Holtzman, PEC
Charlie Lunsford, DEQ
B. Bowman, citizen
Jane Dalton, citizen (Residential)
Kane Kashouty, Reporter
Jeff Green, citizen (Residential)
Tom Call, citizen
Brian Wagner, citizen
Fred Tuck, citizen
Davis Lamb, citizen
Kyle Ashmun, citizen (Ag)
Greg Wichens, CSWCD
Henny Calloway, CSWCD
Spencer Yager, CSWCD
Bryant Thomas, DEQ
May Sligh, DEQ
Jen Carlson, DEQ
Byron Petrauskas, Blue Ridge Environmental Solutions
Jenny Biche, RRRC
Kate Gibson, RRRC

The meeting began at 6pm. Rappahannock-Rapidan Regional Commission (RRRC) Planner Jenny Biche welcomed attendees and introduced Byron Petrauskas, Blue Ride Environmental Solutions and May Sligh, DEQ. Presentations were given by the consultant, DEQ and CSWCD staff. The PowerPoint presentations are available at:

<http://www.deq.virginia.gov/Programs/Water/WaterQualityInformationTMDLs/TMDL/TMDLImplementation/TMDLImplementationProgress.aspx>.

Comments, questions and answers that followed included:

Q: Is it correct that if you accept cost share money you have to claim it on your taxes?

A: Yes, any cost share monies received over \$600 must be claimed on your taxes. A Form 1099-G is sent for the cost-share amount to the landowner, but there is an option for the payment to install a septic system practice to be made directly to the contractor. In this case the Form

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1099-M would be sent to the contractor. For this option, paperwork must be completed by the landowner ahead of time and the contractor must agree to the arrangement.

Q: Has there been any monitoring of the streams in the examples that were shared since the BMP implementations? What were the results?

A: Recently EPA conducted their annual NPS Program review in Virginia by visiting implementation sites in the Upper Hazel watershed. Based on DEQ and CSWCD evaluation monitoring results for some of those stream segments and others in the area are being considered for delisting. Mountain Run (Upper York IP), Robinson River (Robinson and Little Dark Run IP) and the Upper Hazel are all possible candidates for success stories in Virginia. One of the handouts provided tonight shows some examples of success stories of streams in other parts of the state that have been delisted or are demonstrating improving water quality trends, attributed to the high rate of implementation efforts in those watersheds.

Q: Will these interventions ever become mandatory?

A: With the exception of removing straight pipes, which are illegal, none of the interventions are mandatory. If the Health Department finds a failing septic system, they will work with the homeowner to fix the problem, but can take the homeowner to court if it comes to that. Before a notice is issued, the Health Department will work with the resident and refer them to eligible assistance programs if available.

Q: What is the Health Department's involvement in the septic BMPs?

A: The Health Department will refer residents to the program, and all septic projects must be permitted by the Health Department.

Q: Has it been your experience that the Health Department gives out notices?

A: They will report if necessary. It is complaint driven, they aren't out actively looking for them.

Q: Are the streams regularly tested? Or is there something that triggers DEQ to begin monitoring them?

A: The streams are monitored regularly, generally twelve times for a two year period. Some stations are considered "Trend Stations" in which case DEQ monitors them continually every other month. One of the hand-outs provided shows where the monitoring stations and trend stations are located in the watershed. An "Integrated Report" that shows state wide how the streams are doing is developed every two years. Citizens can also provide monitoring as part of the implementation plan to identify hot spots and measure BMP progress. If there are any

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groups you are aware of, such as students, who may be interested in helping with citizen monitoring, please let us know.

Q: Is there a correlation between bacteria levels and nutrient levels in the streams?

A: These could come from the same source, but it depends on the source. You would not see this with commercial fertilizer. Nutrient levels can be an indicator of bacteria, but not necessarily, it depends on the source of the pollutants. Someone commented on a study that was done nearby to measure bacteria in area streams, and the only source could have been wildlife. It was mentioned that even in remote and pristine areas, there could be the potential for bacteria inputs from camps, etc. Wildlife is a component of the TMDL, but we only address the reduction of bacteria sources from humans in the implementation plan. DEQ is not aware of a direct correlation between bacteria and aquatic life.

Q: Are there any BMPs dealing with roads?

A: Not so much with bacteria impairments.

The working group sessions were combined and began right after the formal presentations. Comments, questions and answers that followed included:

Participant Observations:

Regarding septic systems:

In Madison County, residents are aware that there are no-compliant homesteads. This is usually due to financial hardship. A good tool to consider is the GIS system developed a few years ago in Madison County to track the location and ages of homes with septic systems. This is a great tool for targeting outreach to residents of the Upper Rapidan watershed in Madison for educational materials and cost share information regarding repair and replacement of septic systems.

A comment was made that in Madison County, there are many people who don't have enough land for the number of animals they keep, and the land is bare in these places. These residents may not be able to afford adding land. More education on this issue is needed. They also probably do not know about composting horse manure.

Q: On the agricultural side, are there areas to focus on?

A: Half of Madison County—the area between the two existing TMDL areas.

Ways to get the word out

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- One-on-one, people telling/asking their neighbors
- Newspaper
- Farmers markets (in Madison & Greene)
- Anonymous tips
- Door hangers
- Animal shelters—good places for education, people picking up new pets

Education is always helpful and always needed.

There are residents who have poultry in their backyard—selling eggs at farmers market. Some do compost chicken manure. (Could work with group of citizens and USDA to develop brochure).

Q: What is the public perception about pets as a source of bacteria?

A: This is not a concern in this area. Stanardsville does have a pet waste station. There may be interest in having more stations in the parks.

Q: Are there any pet waste ordinances?

A: No, there is not a pet waste ordinance in Greene County, but there is a leash law .(In Albemarle County, in addition to a leash law there is a requirement under the Water Resources Protection ordinance that states that pet waste must be prevented from entering storm sewers or natural streams. The requirements in all 4 counties will be further discussed at the Government Working Group meeting.)

Q: Have any control measures recently been installed? Are there any existing water quality projects?

A: (No answer was given by participants but it is noted that Agricultural BMPs have been installed throughout the watershed. There have also been river clean-ups led by the Center for Natural Capital, area students and landowners in recent years).

Barboursville Fire Hall was suggested as a possible location for the working group meetings in March. Kyle Ashmun and Fred Tuck agreed to participate in the Steering Committee.